

## REMARKS

The only issues outstanding in the Office Action mailed December 3, 2004, are the rejections under 35 U.S.C §102. Reconsideration of these issues, in view of the following discussion, is respectfully requested. The Examiner is thanked for indicating withdrawal of finality of the previous Office Action.

Claims 1 - 16 and 22 - 24 have been rejected under 35 U.S.C §102(b) over Jones et al. '892. It is noted at page 2 of the Office Action that the presence of at least two adsorbent beds in the present claims would overcome the rejection. Thus, this rejection is moot. However, it is noted that the Office Action argues that the claims do not require the fluid distribution and extraction plate where only one adsorbent bed is present. Applicants respectfully disagree with this interpretation of the claims. Instead, a careful reading of the claims does not support an interpretation where the bypass circuit, recited in line 10 of the claim, is not present. In any event, clarification of the claim obviates this rejection.

Claims 1, 13, 17, 23 and 24 have been rejected under 35 U.S.C §102(b) over Haase '292. Reconsideration of this rejection is also respectfully requested. It is evident, for example from column 7, lines 18 - 33, that the adsorbent in Haase is not isolated in a bed, but rather is packed into the reactor beneath upper plate 9, and above lower plate 9. See Figure 1. Thus, in patentees' apparatus, the reactor comprises layers of distributor pans (4), with adsorbent between such vertically adjacent layers. Annular distribution rings (3) communicate both with conduit (6), and with a layer of pans (4) through line (5). Thus, line (5) communicates between chamber (3) and pan (4,) rather than communicating with an adsorbent bed. As a result, in patentees' apparatus, there is no connection to a zone of an *adsorbent bed* which is distinct from a distribution chamber. Moreover, while the Office Action argues that the reference discloses a plurality of adsorbent beds, instead, patentees teach that the "annular volume located between these two plates [(plates 9)] is the working volume of the apparatus," and it is in this volume that the adsorbent or other solid particulate material is placed. It is not seen that this teaches distinct beds and, moreover, in view of the prior discussion, does not teach a bypass circuit communicating a

distribution, mixing and/or extraction chamber and a zone of an adsorbent bed which is distinct from a distribution chamber, inasmuch as pan (4) is not seen to be a zone of the adsorbent bed. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 18, 20, 21 and 25 are again rejected under 35 U.S.C §102 over both of the French patent 2,772,634 and Hotier et al. '224 or Ferschneider et al. '537. It is submitted that, in view of the clarification of process claim 18, these rejections should also be withdrawn. It is noted that the language "connected to a zone of an adsorbent bed distinct from *distribution chambers* (Ci) correctly represents the structure, for example, Figure 1. Moreover, such language, which has also been placed in independent apparatus claim 1, is consistent with the embodiment recited, for example, in claim 10, wherein zones (R) comprise a diverted fluid distribution means, and the end of the by pass line opens into the diverted fluid distribution means, for example, as shown in Figures 5 and 6. See element (53). This fluid distribution means, which introduces the fluid from the bypass line into the adsorbent bed, it is distinct from any distribution chamber (Ci).

It is accordingly submitted that all rejections of record should be withdrawn, and that the claims are in condition for allowance. However, if the Examiner has any questions or comments, he is cordially invited to telephone the undersigned at the number below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

  
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